

STATE OF SOUTH CAROLINA  
BEFORE THE PUBLIC SERVICE COMMISSION  
DOCKET NO. 2004-178-E

IN THE MATTER OF:	)	
	)	
South Carolina Electric and Gas Company	)	
Application for Adjustments in the Company's	)	MOTION TO APPOINT
Electric Rate Schedules and Tariffs	)	HEARING OFFICER
_____	)	

Elliott F. Elam, Jr., Acting Consumer Advocate for the State of South Carolina, respectfully moves the South Carolina Public Service Commission for an Order appointing a hearing officer in the above referenced Docket and represents as follows:

1. Elliott F. Elam, Jr. is the duly appointed and qualified Acting Consumer Advocate for the State of South Carolina. Pursuant to S.C. Code Ann. § 37-6-604 (2002), and 26 S.C. Code Ann. Regs. 103-830 et seq., (1976 and Supp. 2003), the Consumer Advocate has the discretionary duty to provide legal representation of the consumer interest before state and federal regulatory agencies when such agencies undertake to fix rates or prices for consumer products or services or to enact regulations or establish policies related thereto. In that capacity, the Consumer Advocate has filed a petition to intervene as a formal party of record in this proceeding.

2. S.C. Code Ann. § 58-3-40 (C), as amended by Act No. 175 of 2004 provides that, upon the request of any party or any commissioner, the commission may employ a hearing officer who may hear and determine procedural motions or other matters not determinative of the merits of the proceedings and made prior to hearing; and, at the hearing, shall make all rulings on non-dispositive

motions and objections. The hearing officer must be an attorney qualified to practice in all courts of this State with a minimum of eight years' practice experience. If qualified, a commission staff attorney may serve as hearing officer.

3. Given the complex nature of a large electric rate case such as this, and the need for expeditious rulings on procedural and discovery matters, the Consumer Advocate requests that the Commission appoint a hearing officer in this docket.

**WHEREFORE**, the Petitioner, in order to represent the consumer interest of the State of South Carolina, the Consumer Advocate requests that the Commission grant this Motion, and issue an Order appointing a Hearing Officer in this proceeding.

Elliott F. Elam, Jr.  
Acting Consumer Advocate

Hana Pokorna-Williamson  
Staff Attorney

By: \_\_\_\_\_  
S.C. Department of Consumer Affairs  
3600 Forest Drive 3<sup>rd</sup> Floor  
P.O. Box 5757  
Columbia, South Carolina 29250-5757  
(803) 734-4188

July 1, 2004

**CERTIFICATE OF SERVICE**

This is to certify that I, have served this day the foregoing **Petition to Intervene** upon the person(s) named below, at the address(es) set forth, by deposit in the United States mail, postage prepaid.

Francis P. Mood, Esquire  
Haynsworth Sinkler Boyd, P.A.  
P.O. Box 11889  
Columbia, SC 29211-1889

Catherine D. Taylor, Esquire  
SCANA Corporation  
Legal Department  
Columbia, SC 29218

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July 1, 2004  
Columbia, South Carolina